

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

4:14-CR-3103

vs.

ORDER

DON A. LANGFORD,

Defendant.

UNITED STATES OF AMERICA,

Plaintiff,

4:14-CR-3133

vs.

ORDER

JAMES A. LAPHEN,

Defendant.

UNITED STATES OF AMERICA,

Plaintiff,

4:14-CR-3136

vs.

ORDER

GILBERT G. LUNDSTROM,

Defendant.

This matter is before the Court at the request of the Clerk of the Court, regarding the proper disposition of funds already received from one of the defendants in the above-captioned cases. Pursuant to [18 U.S.C. § 3612\(c\)](#), "[a]ny money received from a defendant shall be disbursed so that each of the following obligations is paid in full in the following sequence: (1) [Special] assessment. . . . (2) Restitution of all victims. (3) All other fines, penalties, costs, and other payments required under the sentence."

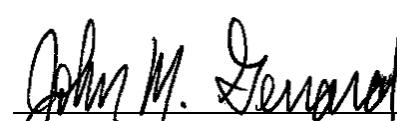
In the Court's view, that statutory mandate is applicable even where the Court makes a final determination of victims' losses after sentencing, pursuant to 18 U.S.C. § 3664(d)(5). Accordingly, the Clerk of the Court will be directed to disburse any funds already received from the above-captioned defendants—specifically including funds paid by James Laphen toward his fine—in the order of priority specified by the Court's order on restitution: (1) special assessment, (2) restitution, (3) fine, and (4) other penalties.

IT IS ORDERED:

1. The Clerk of the Court is directed to disburse any funds already received from the above-captioned defendants in the following order of priority: (1) special assessment, (2) restitution, (3) fine, and (4) other penalties.

Dated this 10th day of May, 2016.

BY THE COURT:



John M. Gerrard
United States District Judge